

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DAVID ALLEN TEBBETTS and CYNTHIA)	
INGRAM TEBBETTS,)	
)	
Plaintiffs,)	
)	
v.)	
)	CIVIL ACTION NO. 2:07-CV-925
BLUE CROSS BLUE SHIELD OF)	
ALABAMA; CARECORE NATIONAL,)	
LLC; and DOE DEFENDANTS 1-10,)	
)	
Defendants.)	
)	

NOTICE OF FILING OF ADDITIONAL STATE COURT DOCUMENTS

PLEASE TAKE NOTICE that Defendant Blue Cross Blue Shield of Alabama has filed in supplementation to its Notice of Removal the attached AlaCourt Alabama SJIS case detail and documents related to the returns on service in the state court.

s/Cavender C. Kimble _____
Cavender C. Kimble
Leigh Anne Hodge
Attorneys for Blue Cross and Blue Shield of
Alabama

OF COUNSEL:
Cavender C. Kimble
ckimble@balch.com
Leigh Anne Hodge
lhodge@balch.com
BALCH & BINGHAM LLP
Post Office Box 306
Birmingham, AL 35201-0306
Telephone: (205) 251-8100
Facsimile: (205) 488-5860

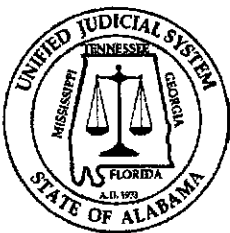
CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of November, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

M. Clayborn Williams
Thomas O. Sinclair
Jennifer C. Wallis
CAMPBELL, GIDIERE, LEE, SINCLAIR
& WILLIAMS, P.C.
2100-A Southbridge Parkway, Suite 450
Birmingham, Alabama 35209

Bruce Rogers
Rebecca Eubanks
BAINBRIDGE, MIMS, ROGERS
& SMITH, LLP
415 The Luckie Building
600 Luckie Drive
P.O. Box 530886
Birmingham, AL 35223

s/Cavender C. Kimble
OF COUNSEL



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA
DAVID ALLEN TEBBETTS ET AL v. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL

03-CV-2007-900620.00

To: CLERK MONTGOMERY
clerk.montgomery@alacourt.gov

TOTAL POSTAGE PAID FOR CERTIFIED MAIL: \$13.58

Parties to be served by **Certified Mail - Return Receipt Requested**

BLUE CROSS BLUE SHIELD OF ALABAMA
C/O A. G. TILL, REG. AG.
450 RIVERCHASE PARKWAY E.
BIRMINGHAM, AL 35244

Postage: \$6.79

CARECORE NATIONAL, LLC
169 MYERS CORNERS ROAD
WAPPINGER FALLS, NY 12590

Postage: \$6.79

Parties to be served by **Certified Mail - Restricted Delivery - Return Receipt Requested**

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)

CV-07-900620

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.79

Postmark
Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Blue Cross Blue Shield of Alabama
c/o A. G. Till, Reg. AG.
450 Riverchase Parkway E.
Birmingham AL 35244

PS Form 3800, February 2000

See Reverse for Instructions

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)

CV-07-900620

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.79

Postmark
Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Carecore National, LLC
169 Myers Corners Road
Wappinger Falls, NY 12590

PS Form 3800, February 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <u>Terrell Lynn</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: <u>Blue Cross Blue Shield of Alabama</u> <u>c/o A. G. Till, Reg. Ag.</u> <u>450 Riverchase Pkwy E.</u> <u>Birmingham, AL 35244</u></p>		<p>B. Received by (Printed Name) <u>TL Till</u></p>	<p>C. Date of Delivery <u>9/17/07</u></p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label) <u>7099 3400 0017 6426 9535</u></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature x CareCore National <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Carecore National, LLC 169 Myers Corners Road Wappinger Falls, NY 12590</p>		<p>B. Received by (Printed Name) Reception 9/17</p> <p>C. Date of Delivery 9/17</p>	
<p>2. Article Number (Transfer from service label) 7099 3400 0017 6426 9528</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, February 2004</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt</p> <p>102595-02-M-1540</p>	



AlaFile E-Notice

03-CV-2007-900620.00

Judge: TRUMAN M HOBBS

To: WILLIAMS MILES CLAYBORN
cwilliams@cgl-law.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

**DAVID ALLEN TEBBETTS ET AL V. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL
03-CV-2007-900620.00**

The following matter was served on 9/17/2007

**D001 BLUE CROSS BLUE SHIELD OF AL
CERTIFIED MAIL**

**MELISSA RITTENOUR
CIRCUIT COURT CLERK
MONTGOMERY COUNTY, ALABAMA
251 S. LAWRENCE STREET
MONTGOMERY, AL 36102**

334-832-4950



AlaFile E-Notice

03-CV-2007-900620.00

Judge: TRUMAN M HOBBS

To: WILLIAMS MILES CLAYBORN
cwilliams@cgl-law.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DAVID ALLEN TEBBETTS ET AL V. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL
03-CV-2007-900620.00

The following matter was served on 9/17/2007

D002 CARECORE NATIONAL, LLC
CERTIFIED MAIL

MELISSA RITTENOUR
CIRCUIT COURT CLERK
MONTGOMERY COUNTY, ALABAMA
251 S. LAWRENCE STREET
MONTGOMERY, AL 36102

334-832-4950

ALABAMA SJIS CASE DETAIL**Company Name: BALCH & BINGHAM LLP****PREPARED FOR: KAREN MAY**

County: **03** Case Number: **CV 2007 900620 00** Court Action:
 Style: **DAVID ALLEN TEBBETTS ET AL V. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL**

Case Information		Case Type	
County:	03 - MONTGOMERY	Code:	TBFM
Case Number:	CV 2007 900620 00	Type:	BAD FAITH/FRAUD/MISR
JID:	TMH TRUMAN M HOBBS	Track:	
Trial:	J	Status:	A
Style:	DAVID ALLEN TEBBETTS ET AL V. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL	Plaintiffs:	002
Filed:	09/10/2007	Defendants:	002

Court Action	Damages
DJID:	Amount: \$0.00
Court Action:	Compensatory: \$0.00
Judgment For:	Punitive: \$0.00
Trial days: 0	General: \$0.00
Lien: 0	None:

Other Actions		
Con Date:	Cont #:	Why:
RevJmt:	Admin Date:	Why:
Appeal Date:	Court:	Case:
Mistrial:		
TBNV2:	DSDT:	DTYP:

Comments
Comment 1:
Comment 2:

Settings

Court Dates			
Date:	Que:	Time:	Description:
1:			-
2:			-
3:			-
4:			-

Party 1 - C 001 - TEBBETTS DAVID ALLEN

Party Information			
Party:	C 001	Name:	TEBBETTS DAVID ALLEN
Index:	Y	Alt Name:	
SSN:	XXX-XX-X999	DOB:	
Address 1:	1552 KIMBERLY LANE	Sex:	
Phone:	334	Address 2:	
Dock:		State:	AL
		Zip:	36066-0000
		Country:	US
		Entered:	

Attorneys	
Attorney 1: WIL283	Name: WILLIAMS MILES CLAYBORN
	City: BIRMINGHAM State: AL

Attorney 2:	Name:	City:	State:
Attorney 3:	Name:	City:	State:
Attorney 4:	Name:	City:	State:
Attorney 5:	Name:	City:	State:
Attorney 6:	Name:	City:	State:

Service Information

Issued:	Type:	Reissue:	Type:
Return:	Type:	Return:	Type:
Service:	Type:	Service On:	By:
Answer:	Type:	NS Not:	NA Not:
Warrant	Type:	Arrest:	

Court Action

CACT:	Date:	For	Exempt:
Amount: \$0.00	Cost: \$0.00	Other: \$0.00	Satisfied:
Comment:			

Party 2 - C 002 - TEBBETTS CYNTHIA INGRAM**Party Information**

Party:	C 002	Name:	TEBBETTS CYNTHIA INGRAM		Type:	1 Individual
Index:	Y	Alt Name:			JID:	TMH
SSN:	XXX-XX-X999	DOB:		Sex:	Race:	
Address 1:	1552 KIMBERLY LANE		Address 2:			
Phone:	334	City:	PRATTVILLE	State:	AL	Zip: 36066-0000
Dock:		Notice:		Entered:		Country: US

Attorneys

Attorney 1:	WIL283	Name:	WILLIAMS MILES CLAYBORN	City:	BIRMINGHAM	State:	AL
Attorney 2:		Name:		City:		State:	
Attorney 3:		Name:		City:		State:	
Attorney 4:		Name:		City:		State:	
Attorney 5:		Name:		City:		State:	
Attorney 6:		Name:		City:		State:	

Service Information

Issued:	Type:	Reissue:	Type:
Return:	Type:	Return:	Type:
Service:	Type:	Service On:	By:
Answer:	Type:	NS Not:	NA Not:
Warrant	Type:	Arrest:	

Court Action

CACT:	Date:	For	Exempt:
Amount: \$0.00	Cost: \$0.00	Other: \$0.00	Satisfied:
Comment:			

Party 3 - D 001 - BLUE CROSS BLUE SHIELD OF ALABAMA

Party Information			
Party:	D 001	Name:	BLUE CROSS BLUE SHIELD OF ALABAMA
Index:	Y	Alt Name:	
SSN:	XXX-XX-X999	DOB:	
Address 1:	C/O A. G. TILL, REG. AG.		Address 2:
Phone:	334	City:	BIRMINGHAM
Dock:		Notice:	
		Sex:	
		State:	AL
		Zip:	35244-0000
		Entered:	
		Type:	B Business
		JID:	TMH
		Race:	
		Country:	US

Attorneys			
Attorney 1:	Name:	City:	State:
Attorney 2:	Name:	City:	State:
Attorney 3:	Name:	City:	State:
Attorney 4:	Name:	City:	State:
Attorney 5:	Name:	City:	State:
Attorney 6:	Name:	City:	State:

Service Information			
Issued:	09/14/2007	Type:	C Certified mail
Return:		Type:	
Service:	09/17/2007	Type:	C Certified Mail
Answer:		Type:	
Warrant:		Type:	
		Relissue:	
		Return:	
		Service On:	
		NS Not:	
		Arrest:	
		Type:	
		By:	
		NA Not:	

Court Action			
CACT:		Date:	
Amount:	\$0.00	Cost:	\$0.00
Comment:		For:	
		Other:	\$0.00
		Exempt:	
		Satisfied:	

Party 4 - D 002 - CARECORE NATIONAL, LLC

Party Information			
Party:	D 002	Name:	CARECORE NATIONAL, LLC
Index:	Y	Alt Name:	
SSN:	XXX-XX-X999	DOB:	
Address 1:	169 MYERS CORNERS ROAD		Address 2:
Phone:	334	City:	WAPPINGER FALL
Dock:		Notice:	
		Sex:	
		State:	NY
		Zip:	12590-0000
		Entered:	
		Type:	B Business
		JID:	TMH
		Race:	
		Country:	US

Attorneys			
Attorney 1:	Name:	City:	State:
Attorney 2:	Name:	City:	State:
Attorney 3:	Name:	City:	State:
Attorney 4:	Name:	City:	State:
Attorney 5:	Name:	City:	State:
Attorney 6:	Name:	City:	State:

Service Information			
Issued:	09/14/2007	Type:	C Certified mail
Return:		Type:	
Service:	09/17/2007	Type:	C Certified Mail
Answer:		Type:	
Warrant:		Type:	
		Relissue:	
		Return:	
		Service On:	
		NS Not:	
		Arrest:	
		Type:	
		By:	
		NA Not:	

Court Action

CACT:

Amount: \$0.00

Comment:

Date:

Cost: \$0.00

For

Other: \$0.00

Exempt:

Satisfied:

Case Action Summary - 03CV200790062000

Date	Time	Code	Comments	Operator
09/10/2007	4:50:33	EFILE	COMPLAINT E-FILED.	WIL283
09/10/2007	5:17:12	EFILE	COMPLAINT - SUMMONS	
09/10/2007	5:45:31	FILE	FILED THIS DATE: 09/10/2007 (AV01)	AJA
09/10/2007	5:45:32	TDMJ	JURY TRIAL REQUESTED (AV01)	AJA
09/10/2007	5:45:33	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
09/10/2007	5:45:34	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
09/10/2007	5:45:35	ASSJ	ASSIGNED TO JUDGE: TRUMAN M HOBBS JR (AV01)	AJA
09/10/2007	5:45:36	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA
09/10/2007	5:45:38	PART	TEBBETTS DAVID ALLEN ADDED AS C001 (AV02)	AJA
09/10/2007	5:45:39	ATTY	LISTED AS ATTORNEY FOR C001: WILLIAMS MILES CLAYB	AJA
09/10/2007	5:45:44	PART	TEBBETTS CYNTHIA INGRAM ADDED AS C002 (AV02)	AJA
09/10/2007	5:45:45	ATTY	LISTED AS ATTORNEY FOR C002: WILLIAMS MILES CLAYB	AJA
09/10/2007	5:45:50	PART	BLUE CROSS BLUE SHIELD OF ALABAMA ADDED AS D001	AJA
09/10/2007	5:45:51	ATTY	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
09/10/2007	5:45:52	SUMM	CERTIFIED MAI ISSUED: 09/10/2007 TO D001 (AV02)	AJA
09/10/2007	5:45:57	PART	CARECORE NATIONAL, LLC ADDED AS D002 (AV02)	AJA
09/10/2007	5:45:58	ATTY	LISTED AS ATTORNEY FOR D002: PRO SE (AV02)	AJA
09/10/2007	5:45:59	SUMM	CERTIFIED MAI ISSUED: 09/10/2007 TO D002 (AV02)	AJA
09/14/2007	8:34:03	SUMM	CERTIFIED MAI ISSUED: 09/14/2007 TO D001 (AV02)	KAR
09/14/2007	8:34:12	SUMM	CERTIFIED MAI ISSUED: 09/14/2007 TO D002 (AV02)	KAR
10/04/2007	10:59:58	SERC	SERVICE OF CERTIFIED MAI ON 09/17/2007 FOR D001	JAG
10/04/2007	11:00:00	EADD	SERVICE RETURN - TRANSMITTAL	
10/04/2007	11:00:06	SERC	SERVICE OF CERTIFIED MAI ON 09/17/2007 FOR D002	JAG
10/04/2007	11:00:12	EADD	SERVICE RETURN - TRANSMITTAL	
10/15/2007	8:14:24	TEXT	DEFT BCBS NOTICE OF FILING NOTICE OF REMOVAL	KAR
10/15/2007	9:43:56	TEXT	DEFT BCBS NOTICE OF REMOVAL	KAR
10/22/2007	10:03:48	TEXT	ORDER GRANTING BCBS NOTICE OF FILING NOTICE OF	REW
10/22/2007	10:03:49	TEXTREMOVAL	REW



END OF THE REPORT

S/ TAN

FILED
CIRCUIT COURT OF
MONTGOMERY COUNTY

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

2007 OCT 15 PM 2:38

DAVID ALLEN TEBBETTS and CYNTHIA INGRAM TEBBETTS,

Plaintiffs,

v.

BLUE CROSS BLUE SHIELD OF ALABAMA;
CARECORE NATIONAL, LLC; and DOE
DEFENDANTS 1-10,


Defendant.

CIVIL ACTION NO. CV 07-900620

NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that defendant Blue Cross and Blue Shield of Alabama, has on this date filed their notice of removal of this action from the Circuit Court of Montgomery County, Alabama, a copy of which is attached hereto, with the Office of the Clerk of the United States District Court for the Middle District of Alabama, Northern Division.

DATED this the 12 day of October, 2007.


One of the Attorneys for Defendant,
Blue Cross Blue Shield Of Alabama

FILED
CIRCUIT COURT OF
MONTGOMERY COUNTY
2007 OCT 22 PM 12:45

OF COUNSEL:

Cavender C. Kimble

Leigh Anne Hodge

BALCH & BINGHAM LLP

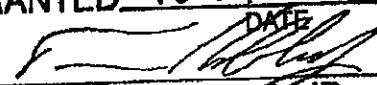
Post Office Box 306

Birmingham, AL 35201-0306

Telephone: (205) 251-8100

Facsimile: (205) 226-8798

GRANTED 10-19-07


TRUMAN M. HOBBS, JR.
CIRCUIT JUDGE

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 03-CV-2007-900620.00
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IN THE CIVIL COURT OF MONTGOMERY, ALABAMA
DAVID ALLEN TEBBETTS ET AL v. BLUE CROSS BLUE SHIELD OF ALABAMA ET AL

CARECORE NATIONAL, LLC, 169 MYERS CORNERS ROAD, WAPPINGER FALLS NY, 12590

NOTICE TO

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY MILES WILLIAMS

WHOSE ADDRESS IS 2100-A SOUTHBRIDGE PARKWAY, SUITE 450, BIRMINGHAM AL, 35209

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.
 TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☒ Service by certified mail of this summons is initiated upon the written request of DAVID ALLEN TEBBETTS pursuant to the Alabama Rules of the Civil Procedure

9/10/2007 4:50:33 PM /s MELISSA RITTENOUR
 Date Clerk/Register By

☒ Certified mail is hereby requested /s MILES WILLIAMS
 Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____
 in _____ County, Alabama on _____

 Date Server's Signature

STATE OF ALABAMA
 MONTGOMERY COUNTY
 I, as Circuit Clerk, Montgomery County Circuit Court, do hereby certify that the within is a complete, true and correct copy of the Summons on file in said office.
 Witness my hand and the seal of said Court is hereto affixed, this the 11th day of NOVEMBER, 2007
 CIRCUIT CLERK Melissa Rittenour

CIRCUIT CLERK